

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

KENNETH BREAZZEAL, #1803599

§

VS.

§

CIVIL ACTION NO. 6:12cv833

DIRECTOR, TDCJ-CID

§

ORDER OF DISMISSAL

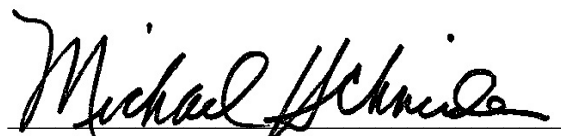
The above-styled and numbered civil action was heretofore referred to United States Magistrate Judge John D. Love. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the Report and Recommendation (Doc. No. 9) is **ADOPTED**. It is further

**ORDERED** that the petition for a writ of habeas corpus is **DISMISSED** without prejudice for failure to exhaust state habeas corpus remedies. A certificate of appealability is **DENIED**. All motions not previously ruled on are **DENIED**.

**It is SO ORDERED.**

**SIGNED this 19th day of December, 2012.**

A handwritten signature in black ink, reading "Michael H. Schneider", is written over a horizontal line.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE